IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MORGAN J. A MINOR, BY AND THROUGH HIS PARENT AND NATURAL GUARDIAN, FRANCES J., BOTH OF 523 Orchard Avenue Yeadon, Pennsylvania 19050	: CIVIL ACTION
and	:
FRANCES J., IN HER OWN CAPACITY	:
vs.	:
THE WILLIAM PENN SCHOOL DISTRICT	: NO.

COMPLAINT

1. Plaintiff, Morgan J. is a student with disabilities as defined by the Individuals with Disabilities Education Act. 20 U.S.C. §1401 et. seq.

2. Plaintiff, Frances J. is the parent and natural guardian of said minor. Plaintiffs reside at the address set forth above.

3. Said minor is a student of the Defendant school district and has been a student entitled to the protections of IDEA at all relevant times.

4. Plaintiffs objected to Defendant concerning the failure of the Defendant to offer a free appropriate public education to said minor student, and Plaintiffs requested an administrative Due Process Hearing to resolve this dispute.

5. The dispute between the Plaintiffs and Defendant has been resolved by means of a settlement through which the Defendant agreed to provide various improvements to said minor

child's educational program.

6. The agreement by the parties to amicably settle their differences in a manner favorable to Plaintiffs renders the Plaintiffs as the "prevailing party" in the administrative process under IDEA.

7. Pursuant to 20 U.S.C. §1415 of IDEA, Plaintiffs are entitled to recoupment of their attorneys fees and costs as prevailing parties in the administrative process, and are further entitled to counsel fees in pursuing the claim for fees.

8. Although Defendant school district has recognized its obligation to pay the fees of the Plaintiffs and their counsel in this matter, a lengthy time period, now totaling many months, has elapsed without payment of said fees by the District.

9. The fees to which Plaintiffs were entitled through the administrative process was the amount of $3,248.77, and additional fees will be due and owing for preparation of this Complaint and pursuing this matter before the Court.

WHEREFORE, it is respectfully requested that this Court accept jurisdiction of this matter, enter an award of appropriate counsel fees and costs to Plaintiffs, and enter a further award as required by the interests of justice.

Respectfully submitted,

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